

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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**NATIONAL OILWELL VARCO, L.P.**

Plaintiff,

v.

**JULIO GARZA**

Defendant.

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**Civil Action No. 4:22-CV-02006**

**UNOPPOSED REQUEST FOR STATUS CONFERENCE**

Defendant Julio Garza (“Garza”) requests that this Court set a status conference in the above-styled matter, which request is unopposed by National Oilwell Varco, LP’s (“Varco”).

**I.**

1. Following briefing by the parties related to the scope of forensic review of USB devices, including the Subject Drive, Garza’s personal computer, iPhone, Garza’s personal email accounts and cloud storage accounts, this Court issued its Order on Inspection and attendant Forensic Protocol on August 4, 2022. [Dkt. 62.1].

2. The results of the Forensic Protocol were provided to Varco, and subject to a departure from the Forensic Protocol by the third-party vendor which Varco and Garza seek to remedy through the entry of an Order Amending Order on Forensic Protocol [Dkt. 68] filed today, the Forensic Protocol has been substantially completed<sup>1</sup> in accordance with its terms.

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<sup>1</sup> The completion of delivery of USB drives to Mr. Garza per the Forensic Protocol remains to be completed, but all searches and document destruction, to the extent called for under the Forensic Protocol has been completed.

3. It was understood by counsel for Garza that following the receipt by Varco of the information called for in the Forensic Protocol, the parties were expected to confer regarding next steps in this matter. Garza's counsel has made requests for a conference, however, none has taken place to date.

4. Garza desires to move this case forward. Now that the Forensic Protocol has been undertaken, and the results shared with Varco, there should be no impediment to the same.

5. There is presently no scheduling order in this case, and all deadlines have been suspended by prior orders of this Court.

## II.

6. Garza thus requests that this Court hold a status conference to allow the parties to discuss status of the case, and next steps. The request for status conference is unopposed by counsel for Varco.

7. Additionally, Garza requests that the Court at the time of the status conference consider entry of a scheduling order.<sup>2</sup>

8. Garza further seeks any and all relief which he has shown himself to be entitled.

Dated: August 25, 2022.

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<sup>2</sup> While the undersigned counsel for Garza has conferred via email with counsel for Varco regarding the requested status conference with regard to which counsel indicated it was unopposed, a call made on the date of this filing regarding the requested entry of a scheduling order has not yet been returned. It is thus unknown whether Varco is opposed to the requested entry of a scheduling order in this case.

Respectfully submitted,

/s/ Audrey F. Momanaee

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ATTORNEY FOR DEFENDANT JULIO  
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**CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred via email with Stuart Lapp, counsel for Varco regarding the status conference that is requested herein. Counsel for Varco indicated that he was not opposed to the setting of a status conference. I also certify that on August 25, 2022 I attempted to contact Mr. Lapp regarding the request for entry of a scheduling order by phone, leaving a message, but have not, as of the time of this filing, heard back. It is thus unknown whether Varco is opposed to the request for entry of a scheduling order in this case.

/s/ Audrey F. Momanaee

Audrey F. Momanaee

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document was served pursuant to the Federal Rules of Civil Procedure on August 25, 2022, to the following counsel of record:

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